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**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

AMY I. NEEDHAM,

Plaintiff,

Civil Action No. 13-01829
The Honorable Maurice Cohill
Chief Magistrate Judge Lisa Lenihan

vs.

**WILLIAM P. MULLEN, Sheriff of Allegheny
County,**

LIEUTENANT JOHN KEARNEY,

DETECTIVE JARED KULIK,

ALLEGHENY COUNTY CORRECTIONAL

HEALTH SERVICES, and

ALLEGHENY COUNTY

Defendants.

APPEARANCES: VIRGINIA SPENCER SCOTT, Esq. on behalf of Allegheny County.

**COUNTY RESPONSE TO PLAINTIFF'S MOTION FOR LEAVE TO FILE
SECOND AMENDED COMPLAINT**

Pursuant to this Court's order of June 2, 2014, Defendant Allegheny County files this
RESPONSE.

- I. Plaintiff filed a First Amended Complaint on February 28, 2014. (ECF #17.)
2. Allegheny County and co-defendant Allegheny Correctional Health Services have motions to dismiss pending. (ECF # 21, 25 and 23.)
3. Allegheny County's motion raised five arguments for dismissal of various portions of Plaintiff's First Amended Complaint.
4. Plaintiff has now requested leave to file a 2nd amended complaint. (ECF #38.)
5. Because Plaintiff's proposed 2nd amended complaint disposes of all but two of the issues

raised in the County's Motion to Dismiss, Allegheny County does not oppose the granting of Plaintiff's motion for leave.

6. Should the Court grant Plaintiff leave to file an amended complaint, Allegheny County will file a renewed motion to dismiss on the two remaining issues in dispute (Plaintiff's claims averring a cause of action for violation of the Pennsylvania constitution, and Plaintiff's averments of a "special relationship").

WHEREFORE, Allegheny County does not oppose the granting of Plaintiff's motion for leave to file a 2nd amended complaint.

Respectfully submitted,

/s/ Virginia Spencer Scott
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